

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF YAVAPAI

<b>FILED</b>
<b>DATE:</b> <u>6-7-2011</u>
<u>12:58</u> o'clock <u>P.M.</u>
<b>Sandra K Markham, Clerk</b>
<b>BY:</b> <u>T. Brogdon</u>
<b>Deputy</b>

DIVISION PRO TEM B

SANDRA K MARKHAM, CLERK

HON. WARREN R. DARROW

BY: T. Brogdon, Deputy Clerk

CASE NO. V1300CR201080049

DATE: June 7, 2011

TITLE:

COUNSEL:

STATE OF ARIZONA,

Yavapai County Attorney

By Sheila Polk

Bill Hughes

(Via OnBase)

(Plaintiff)

(For Plaintiff)

v.

JAMES ARTHUR RAY,

Thomas K. Kelly

(Via Electronic Mail)

(For Defendant)

(Defendant)

and

Luis Li/Brad Brian/Truc Do/Miriam Seifter

MUNGER TOLLES & OLSON LLP

(Via Electronic Mail)

(For Defendant *Pro Hac Vice*)

HEARING ON:

NATURE OF PROCEEDINGS

COURT REPORTER

ORAL ARGUMENT ON RULE 20 MOTION

Mina Hunt

START TIME: 10:14 a.m.

APPEARANCES:

Sheila Polk, Counsel for State

Bill Hughes, Co-Counsel for State

Detective Ross Diskin, Case Agent

James Arthur Ray, Defendant

Tom Kelly, Counsel for Defendant

Luis Li, *Pro Hac Vice* Counsel for Defendant

Truc Do, *Pro Hac Vice* Counsel for Defendant

Miriam Seifter, *Pro Hac Vice* Counsel for Defendant

Court and Counsel discuss time needed for Oral Argument.

Counsel present argument.

~~~Recess~~~

At 11:30 a.m. Court reconvenes, all previously appearing parties are present.

Counsel resumes opening argument.

Counsel present closing argument.

The Court concludes Defendant owed a legal duty to the decedents'. The Court makes findings as required by law and as stated on the record. The Court further concludes there has not been a violation of 1<sup>st</sup> amendment principles and a presentation of evidence, and also concludes in the Rule 20 context that there has not been a due process violation. **IT IS ORDERED denying** the Motion pursuant to Rule 20.✓

**END TIME: 12:58 p.m.**

cc: Gallagher & Kennedy, P.C., Counsel for Shore Family (e)  
Murphy, Schmitt, Hathaway & Wilson, PLLC, Co-Counsel for Brown Family (e)  
Stone & Magnanini, Co-Counsel Brown Family (e)  
Aspey, Watkins & Diesel, PLLC, Counsel for Neuman Family (e)  
Steptoe & Johnson, Counsel for KPNX Broadcasting Company, TruTV and In Session (e)  
Perkins, Coie, Brown & Bain, Counsel KTVK-TV (e)  
Division PTB (e)  
Victim Services (e)  
Court Administration  
Customer Service Supervisor, Camp Verde Superior Court Building